

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

KENRARD D. BROUSSARD
La. Doc. #387088

CIVIL ACTION 14-00433

VERSUS

JUDGE RICHARD T. HAIK

AVOYELLES CORRECTIONAL CENTER

MAGISTRATE JUDGE HILL

JUDGMENT

Kenrard Broussard's Petition for Writ of Habeas Corpus Pursuant to Title 28 U.S.C. § 2254 [Rec. Doc. 1] was referred to United States Magistrate Judge C. Michael Hill for report and recommendation. The Magistrate Judge issued a Report and Recommendation on November 12, 2014 recommending that Petitioner's habeas corpus action be dismissed as barred by the one-year limitation period codified at 28 U.S.C. § 2244(d). On November 21, 2014, Petitioner objected to the Report and Recommendation arguing that his August 15, 2013 writ application in the Louisiana Supreme Court was timely filed based on his May 17, 2014 request for an extension. Petitioner attached to his objection a copy of a letter from the Louisiana Supreme Court dated May 21, 2013, assigning a docket number to his case as well as a copy of his August 15, 2013 writ application. The Court ordered the Magistrate Judge review the record regarding Petitioner's objection. On February 5, 2015, the Magistrate Judge ordered the Clerk of the Louisiana Supreme Court to provide copies of the entire record of Petitioner's state court suit. On March 5, 2015, the Magistrate Judge issued a Supplemental Report and Recommendation confirming that Petitioner's writ application was untimely as the


Louisiana Supreme Court record revealed the court never granted Petitioner's Motion For Extension of Time. Accordingly,

After an independent review of the record, and consideration of the objections filed, this Court concludes that the Magistrate Judge's Report and Recommendation as supplemented is correct and adopts the findings and conclusions therein as its own.

Accordingly,

IT IS THEREFORE ORDERED that Kenrard Broussard's Petition for Writ of Habeas Corpus Pursuant to Title 28 U.S.C. § 2254 is **DENIED AND DISMISSED WITH PREJUDICE.**

THUS DONE AND SIGNED on this 6th day of March, 2015 in Lafayette,
Louisiana.



RICHARD T. HAIK, SR.
UNITED STATES DISTRICT JUDGE